

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

|                        |   |                       |
|------------------------|---|-----------------------|
| SARAH KATE STERLING,   | ) | CASE NO. 1:20-cv-1046 |
|                        | ) |                       |
| PLAINTIFF,             | ) | JUDGE SARA LIOI       |
|                        | ) |                       |
| vs.                    | ) | OPINION AND ORDER     |
|                        | ) |                       |
| COMMISSIONER OF SOCIAL | ) |                       |
| SECURITY,              | ) |                       |
|                        | ) |                       |
| DEFENDANT.             | ) |                       |

Before the Court is the report and recommendation of Magistrate Judge Baughman, recommending that the decision of defendant Commissioner of Social Security (“Commissioner”), denying the application of plaintiff Sarah Kate Sterling (“Sterling” or “plaintiff”) for disability insurance benefits under the Social Security Act, be affirmed (“R&R”). (*See* Doc. No. 24.) The magistrate judge informed the parties that any objection to the R&R must be filed within fourteen (14) days after being served with a copy of the R&R. (*See id.* at 13.<sup>1</sup>) The R&R was filed electronically on July 12, 2021. Plaintiff is represented by counsel, and her attorney automatically received electronic service of the R&R at the time it was filed.

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<sup>1</sup> Page number references are to the page numbers assigned to individual documents by the Court’s electronic filing system.

Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C).

The failure to file written objections to the report and recommendation of a magistrate judge constitutes a waiver of a de novo determination by the district court of an issue covered in the report.

*Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140, 106 S. Ct. 466, 88 L. Ed. 2d 435 (1985). Plaintiff, who is represented by counsel, has neither filed a written objection to the R&R nor sought an extension of time to do so.

The Court has reviewed the report and recommendation and accepts and adopts the same. The Commissioner's decision denying plaintiff's application for disability insurance is affirmed. This case is closed.

**IT IS SO ORDERED.**

Dated: July 28, 2021

  
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**HONORABLE SARA LIOI**  
**UNITED STATES DISTRICT JUDGE**